



06-29-06

JRW

PATENT
ATTORNEY DOCKET NO.140P/PCT2/US
BIO-140.1 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV 921126902 US with sufficient postage on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[X] If checked, two copies of this correspondence are enclosed.

Dawn M Janelle
Signature

Date of Deposit: 6/28/2006

Dawn M. Janelle
Printed name of person mailing correspondence

Applicant: DONG, Zheng Xin
Serial No.: 10/582,534
Filed: June 9, 2006
Title: ANALOGUES OF GLP-1

Art Unit: Unknown
Examiner: Unknown

**INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO
CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

[] under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

[X] under 37 CFR 1.97(b), or

(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

[] under 37 CFR 1.97(c) together with either:

[] a Statement under 37 CFR 1.97(e), as checked below, or

[] a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

[] under 37 CFR 1.97(d) together with:

[] a Statement under 37 CFR 1.97(e), as checked below, and

[] a Petition under 37 CFR 1.97(d)(2), and

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.L./

☐ a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ Applicant requests that the attached IDS and cited reference(s) ☐ be placed in the application filewrapper.

(Filed after payment of issue fee)

☐ Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

☐ Enclosed herewith is form PTO/1449 (2 pages; reproduced form), with a copy of each of the references noted thereon.

☒ Enclosed herewith is form PTO/1449 (2 pages; reproduced form), with a copy of selected references noted thereon. As per the change to 37 CFR 1.98(a)(2) published in the September 21, 2004 Federal Register and effective as of October 21, 2004, in which the requirement for a copy of each U.S. Patent or U.S. Patent application publication listed in an IDS has been eliminated regardless of the filing date of the application (unless required by the Office), copies of any United States Patent or Patent Publications are not enclosed.

☐ Copies of the reference(s) X to X noted on the enclosed form PTO/1449 (2 pages, reproduced form) were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. NNNN, from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)). Applicants request that copies of art in U.S. Application Serial No. NNNN cited on the enclosed PTO/1449 form be transferred to the present U.S. Application Serial No. NNNN.

Concise Explanation Requirement (non-English references):

☐ The "concise explanation" requirement for reference(s) DB under 37 CFR 1.98(a)(3) is satisfied by:

☐ the explanation provided on the attached sheet.

☐ the explanation provided in the Specification.

☐ submission of the enclosed International Search Report.

☐ the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO/SB/08B appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /D.L./

- [X] No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- [X] The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

Dated: 6/28/06

By Pamela C Ball

27 Maple Street
Milford, Massachusetts 01757
Phone: (508)478-0144
Facsimile: (508) 473-3531

Pamela C. Ball, Agent for Applicant(s)
Registration No.: 53,963

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
140P/PCT2/USAPPLICATION NO.
10/582,534INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

APPLICANT
DONG, Zheng XinFILING DATE
June 9, 2006GROUP/EXAMINER
Unknown/Unknown

U.S. PATENT DOCUMENTS

| EXAM- INER INI- TIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE IF APPROPRIATE |
|-------------------------------|---|-----------------|---------------|-----------------|-------|---------------|----------------------------------|
| | A | 5,512,549 | Apr. 30, 1996 | Chen et al. | | | |
| | B | 5,545,618 | Aug. 13, 1996 | Buckley, et al. | | | |
| | C | 5,705,483 | Jan. 6, 1998 | Galloway et al. | | | |
| | D | 6,410,513 | Jun. 25, 2002 | Galloway et al. | | | |
| | E | 6,458,924 | Oct. 1, 2002 | Knudsen et al. | | | |
| | F | 6,620,910 | Sep. 16, 2003 | Calas et al. | | | |
| | G | 6,720,407 | Apr. 13, 2004 | Hughes et al. | | | |
| | H | 6,903,186 | Jun. 07, 2005 | Dong et al. | | | |
| | I | 20030186858 | Oct. 2, 2003 | Arentsen | | | |
| | J | 20030220243 | Nov. 27, 2003 | Glaesner et al. | | | |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB- CLASS | TRANSLATION YES NO |
|--|---|-----------------|---------------|----------|-------|---------------|-----------------------|
| | K | 87/06941 | Nov. 19, 1987 | WIPO PCT | | | |
| | L | 91/11457 | Aug. 8, 1991 | WIPO PCT | | | |
| | M | 97/29180 | Aug. 24, 1997 | WIPO PCT | | | |
| | N | 98/03547 | Jan. 29, 1998 | WIPO PCT | | | |
| | O | 98/08871 | Mar. 5, 1998 | WIPO PCT | | | |
| | P | 98/19698 | May 14, 1998 | WIPO PCT | | | |
| | Q | 99/43705 | Sep. 2, 1999 | WIPO PCT | | | |
| | R | 00/34331 | Jun. 15, 2000 | WIPO PCT | | | |
| | S | 01/035988 | May 25, 2001 | WIPO PCT | | | |
| | T | 01/57084 | Aug. 9, 2001 | WIPO PCT | | | |
| | U | 0 658 568 | Jun. 21, 1995 | EP | | | |
| | V | 0 699 686 | Mar. 6, 1996 | EP | | | |
| | W | 0 708 179 | Apr. 24, 1996 | EP | | | |
| | X | 0 733 644 | Sep. 25, 1996 | EP | | | |
| | Y | 0 869 135 | Oct. 7, 1998 | EP | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|---|--|
| Z | ADELHORST, K. et al, "Structure-Activity Studies of Glucagon-Like Peptide-1", 1994, J. of Biological Chem., 269:6275-6278. |
|---|--|

EXAMINER

/David Lukton/

DATE CONSIDERED

02/23/2010

PTO-1449 REPRODUCED

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

ATTORNEY DOCKET NO.
140P/PCT2/USAPPLICATION NO.
10/582,534APPLICANT
DONG, Zheng XinFILING DATE
June 9, 2006GROUP/EXAMINER
Unknown/Unknown**U.S. PATENT DOCUMENTS**

| EXAM- INER INI- TIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE IF APPROPRIATE |
|-------------------------------|-----------------|------|------|-------|---------------|----------------------------------|
| | | | | | | |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB- CLASS | TRANSLATION YES NO |
|-----------------|------|---------|-------|---------------|-----------------------|
| | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|--|
| AA | AHREN, Bo, et al.; "Effects of Glucagon-Like Peptide-1 on Islet Function and Insulin Sensitivity in Noninsulin-Dependent Diabetes Mellitus"; 1997; Journal of Clinical Endocrinology and Metabolism; 82:473-478. |
| AB | DEACON, C.F., et al.; "Dipeptidyl peptidase IV resistant analogues of glucagon-like peptide-1 which have extended metabolic stability and improved biological activity"; 1998; Diabetologia; 41:271-278. |
| AC | DEACON, C.F., et al.; "Dipeptidyl Peptidase IV Inhibition Potentiates the Insulinotropic Effect of Glucagon-Like Peptide 1 in the Anesthetized Pig"; 1998; Diabetes; 47:764-769. |
| AD | GUTNIAK, Mark, et al.; "Antidiabetogenic Effect of Glucagon-Like Peptide-1 (7-36) Amide in Normal Subjects and Patients with Diabetes Mellitus"; 1992; The New England Journal of Medicine; 326:1316-1322. |
| AE | MENTLEIN, R., et al.; "Dipeptidyl-peptidase IV hydrolyses gastric inhibitory polypeptide, Glucagon-like peptide-1 (7-36) amide, peptide histidine methionine and is responsible for their degradation in human serum"; 1993; Biochem; 214:829-835. |
| AF | MOJSOV, S. "Structural requirements for biological activity of glucagon-like peptide I," Int. J. Pep. Prot. Res., 1992, 40:333-343. |
| AG | NAUCK, M.A. et al.; "Effects of subcutaneous glucagon-like peptide 1 (GLP-1 [7-36 amide]) in patients with NIDDM"; 1996; Diabetologia; 82:1546-1553. |
| AH | PARKER, J. C. et al, "Structure-Function Analysis of a Series of Glucagon-Like Peptide-1 Analogs", 1998, J. Peptide Res., 52:398-409. |
| AI | RACHMAN, J. et al.; "Near-normalisation of diurnal glucose concentrations by continuous administration of glucagon-like peptide-1 (GLP-1) in subjects with NIDDM"; 1997; Diabetologia; 40:205-211. |
| AJ | RITZEL, U. et al, "A Synthetic Glucagon-Like Peptide-1 Analog With Improved Plasma Stability", 1998, J. of Endocrinology, 159:93-102. |
| AK | SUZUKI, S., et al.; "Comparison of the Effects of Various C-Terminal and N-Terminal Fragment Peptides of Glucagon-Like Peptide-1 on Insulin and Glucagon Release from the Isolated Perfused Rat Pancreas"; 1989; Endocrinology; 125: 3109-3114. |
| AL | THORENS, Bernard, et al.; "Glucagon-Like Peptide-I and the Control of Insulin Secretion in the Normal State and in NIDDM"; 1993; Diabetes; 42:1219-1225. |
| AM | THORENS, Bernard, et al.; "Structure and Function of the Glucagon-Like Peptide-1 Receptor"; 1996; Handbook of Experimental Pharmacology; 123:255-273. |
| AN | TODD, J.F., et al.; "Glucagon-like peptide-1 (GLP-1): a trial of treatment in non-insulin-dependent diabetes mellitus"; 1997; European Journal of Clinical Investigation; 27:533-536. |

EXAMINER

/David Lukton/

DATE CONSIDERED

02/23/2010

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH.

/D.L./